

REMARKS/ARGUMENTS

Claims 13, 15-19, and 25-47 are pending in the present application. Claims 1-12, 14, and 20-24 has been canceled. Claims 25-31 are withdrawn from consideration based on the election of claims 1-24 in the Response to Restriction Requirement filed December 5, 2002. Claims 13, 32, 38, and 44 are independent and claims 19 and 38 have been amended.

Applicant reserves the right to re-file claims 25-31 in a divisional application.

Allowable Subject Matter

Applicant acknowledges, with appreciation, the Examiner's indication that claims 17, 18, 33, and 41 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant contends the base claims of claims 17, 18, 33, and 41 are allowable and thus claims 17, 18, 33, and 41 do not need to be rewritten to be allowable.

Applicant reserves the right to comment on reasons for allowance.

Claim Objection

Applicant has made a minor grammatical correction to claim 38, replacing "that directs" with "directing." Thus, the Examiner's objection to claim 38 is now moot in view of the amendment of claim 38.

Rejection Under 35 U.S.C. §112, First Paragraph

Claim 46 stands rejected under 35 U.S.C. §112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the specification was filed, had possession of the claimed invention. This rejection is respectfully traversed.

The Examiner alleges that the specification does not describe the claimed limitation "sending the received information from the central database to the service node, the received information indicating to the service node that the first wireless system should be queried in response to receiving a data message" (Office Action, 13 August 2003, pgs. 2-3, #4).

Applicant directs the Examiner's attention to the specification, which recites:

The central database 25 in the service control point 24 is adapted to provide the service nodes 26 with proper redirection information directly upon query or indirectly through the home location register 14 or a visitor location register 16 (specification, pg. 8, ll. 21-24).

Clearly the specification supports the features of claim 46.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection under 35 U.S.C. §112, first paragraph.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claim 19 stands rejected under 35 U.S.C. §112-second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. More specifically, the Examiner alleges insufficient antecedent basis for the feature "the user profile in the central database" (Office Action, 13 August 2003, pg. 3, #6). This rejection is respectfully traversed.

Applicant directs the Examiner's attention to amended claim 19, which now refers to "maintaining the user profile." Thus, the Examiner's rejection is now moot.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections under 35 U.S.C. §112-second paragraph.

PRIOR ART REJECTIONS

Rejection under 35 U.S.C. §102(e) based on Lorello et al.

Claims 13 and 15 stand rejected under 35 U.S.C. §102(e) as being anticipated by Lorello et al. (U.S. Patent No. 6,459,904). This rejection is respectfully traversed.

The Examiner alleges that Lorello shows the features of independent claim 13 and refers to Figure 5 of Lorello and the accompanying discussion (Lorello, col. 2, ll. 51-53; col. 2, ll. 66- col.3, ll. 4; col. 3, ll. 14-26).

Independent claim 13 recites “a first wireless system and a second wireless system...in response to service for a mobile station being transferred from the first wireless system to the second wireless system...”

Lorello is directed to a short message service (SMS) network adapted to send and receive short messages to and from communication devices subscribing to the SMS network (Lorello, col. 6, ll. 28-33). Lorello contains a visitor location register (VLR) and a home location register (HLR) (Lorello, Abstract; Figure 5; col. 3, ll. 34-35; col. 3, ll. 17-22). Lorello shows a VLR and a HLR in one wireless system, where Lorello explicitly states the “VLR is a database ... holding information about visiting subscribers that move into its service area” (Lorello, col. 3, ll. 20-22). Thus, contrary to the Examiner’s assertion, the VLR in Lorello fails to “update a user profile in the first wireless system.” The VLR is in the same system as the HLR. Thus, there is no first and second wireless system in Lorello between which a mobile transfers service.

For anticipation under 35 U.S.C. §102, “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987)(M.P.E.P. 2131). For reasons stated above, Applicant asserts that all of the elements of claims 13 fail to be set forth in the embodiment shown in Lorello and, thus, Lorello fails to anticipate claim 13.

Applicant has already explained why Lorello fails to teach or suggest the invention of independent claims 13. Since claim 15 depends directly from claim 13, claim 15 is allowable at least for the reasons generally expressed above with respect to claim 13.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection under 35 U.S.C. §102(e) based on Lorello.

Rejection under 35 U.S.C. §102(e) based on Ho et al.

Claims 32 and 34-37 stand rejected under 35 U.S.C. §102(e) as being anticipated by Ho et al. (U.S. Patent No. 6,553,227). This rejection is respectfully traversed.

The Examiner alleges that Ho shows the features of independent claim 32 and dependent claims 34-37 and alleges that the update information (INSERT SUBSCRIBER DATA message) of Ho inherently "includes an identifier of the second wireless system because it is routed to the second wireless system" (Office Action, 13 August 2003, pgs. 4-5, #9).

Claim 32 recites that update information includes an identifier of a second wireless system.

Ho is directed to a wireless system where a message router couples a base station system to the plurality of mobile switching centers for purposes of signaling message routing (Ho, col. 2, ll. 61-64). Ho fails to show or suggest that INSERT SUBSCRIBER DATA message includes an identifier of the second wireless system.

When the mobile, in Ho, enters a network from a foreign network it first makes a signaling CHANNEL_REQUEST (Ho, col. 23, ll. 43-45). A message router then selects a servicing mobile switching station (MSC) for the mobile (Ho, col. 23, ll. 62-64). The servicing MSC (new MSC) then completes the location update for the mobile unit. The new MSC assigns a new Temporary Mobile Subscriber Identity (TMSI), the first portion of which contains the identity of the new MSC (Ho, col. 23, ll. 66-67; col. 24, ll. 1-2). When a mobile

switches service from an old mobile switching center (MSC) to a new MSC, the INSERT SUBSCRIBER DATA message of Ho instructs the new mobile switching center to send a UPDATE_LOCATION message to the HLR (Ho, col. 24, ll. 52-54). The HLR sends a CANCEL_LOCATION message to the old MSC and then sends an INSERT SUBSCRIBER DATA message to the new MSC instructing the new MSC to insert subscriber data for the mobile into the VLR of the new MSC. The new MSC performs such subscriber data insertion and responds to the HLR with an INSERT_SUBSCRIBER_DATA_ACK message (Ho, col. 24, ll. 54-62).

Ho fails to show or suggest that the INSERT SUBSCRIBER DATA message includes an identifier of the second wireless system. Ho suggests that the INSERT SUBSCRIBER DATA message is simply an update command to instruct the new MSC to update its VLR, but does not show or suggest that the INSERT SUBSCRIBER DATA message contains update information. Thus it is NOT inherent that the INSERT SUBSCRIBER DATA message includes an identifier of the second wireless system, as alleged by the Examiner (Office Action, 13 August 2003, pg. 5, #9).

For reasons stated above Applicant asserts that all of the elements of claims 32 fail to be set forth in the embodiment shown in Ho and, thus, Ho fails to anticipate claim 32.

Applicant has already explained why Ho fails to teach or suggest the invention of independent claim 32. Since claims 34-37 depend directly or indirectly from claim 32, claims 34-37 are allowable at least for the reasons generally expressed above with respect to claim 32.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection under 35 U.S.C. §102(e) based on Ho.

Rejection under 35 U.S.C. §102(e) based on Josse et al.

Claims 38-40, 42-45, and 47 stand rejected under 35 U.S.C. §102(e) as being anticipated by Josse et al. (U.S. Patent No. 6,104,929). This rejection is respectfully traversed.

The Examiner alleges that Josse shows the features of independent claims 38 and 44 and dependent claims 39-40, 42-43, 45, and 47 and alleges that the Josse shows that "registration data (Update Location message)" is sent from a first wireless system to a central database (HLR 26₁) (Office Action, 13 August 2003, pgs. 6, #10).

The Examiner alleges that Josse uses registration data (Update Location messages). Applicant respectfully contests the Examiner's assertion.

Josse is directed to a data packet radio service. Josse recites that the HLR sends an Update Location Ack message to Serving GPRS Support Node (SGSN). After receipt of the of the Update Location Ack message, SGSN sends the Update SGSN Address Request message to Gateway GPRS Support Node (GGSN). The GGSN sends an Update SGSN Address Response message, which advises whether the updating of the addresses for SGSN at the GGSN has been successful (Josse, col. 7, ll. 34-38; col 3, ll. 37-40). Josse is silent as whether the "Update Location message" contains a registration or deregistration flag as indicated in the specification as being part of the registration and deregistration data respectively (pg. 13, ll. 17-18; ll. 25-25). Independent claim 38 sends "registration" data, while independent claim 44 receives information including "at least one of deregistration data ...and registration data..."

For reasons stated above Applicant asserts that all of the elements of claims 38 and 44 fail to be set forth in the embodiment shown in Josse and, thus, Josse fails to anticipate claims 38 and 44.

Applicant has already explained why Josse fails to teach or suggest the invention of independent claims 38 and 44. Since claims 39-40, 42-43, 45, and 47 depend directly or indirectly from claims 38 and 44, claims 39-40, 42-

43, 45, and 47 are allowable at least for the reasons generally expressed above with respect to claims 38 and 44.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection under 35 U.S.C. §102(e) based on Josse.

Rejection under 35 U.S.C. §103(a) based on Lorello in view of Maupin et al.

Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lorello in view of Maupin et al. (U.S. Patent No. 5,712,900). This rejection is respectfully traversed.

Applicant has already explained why Lorello fails to teach or suggest the limits of independent claim 13. Additionally, Maupin fails to teach or suggest the lacking features in Lorello. Therefore, since claim 16 depends from claim 13, claim 16 is allowable at least for the reasons generally expressed above with respect to claim 13 with respect to Lorello.

Accordingly Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection of claim 16 under 35 U.S.C. §103(a).

Rejection under 35 U.S.C. §103(a) based on Lorello in view of Janhonen et al.

Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lorello in view of Janhonen et al. (U.S. Patent No. 6,345,181). This rejection is respectfully traversed.

Applicant has already explained why Lorello fails to teach or suggest the limits of independent claim 13. Additionally, Janhonen fails to teach or suggest the lacking features in Lorello. Therefore, since claim 19 depends from claim 13, claim 19 is allowable at least for the reasons generally expressed above with respect to claim 13 with respect to Lorello.

Accordingly Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection of claim 19 under 35 U.S.C. §103(a).

CONCLUSION

In view of the above amendments and remarks, reconsideration and withdrawal of all presently outstanding rejections is respectfully requested. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact the undersigned at (703) 668-8000 in the Washington, D.C. area, to discuss this application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

Harness, Dickey & Pierce, P.L.C.

By: _____


Gary D. Yacura
Registration No. 35,416

P.O. Box 8910
Reston, Virginia 20195

GDY/JPK:dg